REMARKS

The Official Action mailed April 22, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on July 14, 2006.

Claims 1-15 pending in the present application, of which claims 1-3, 8 and 10 are independent. Claims 1-3, 8 and 10 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action objects to the title as not descriptive. The Applicant notes that the objection to the title does not specifically explain why the title, "SEMICONDUCTOR DEVICE" is not descriptive. It is noted that the preamble of each claim recites a "semiconductor device." In any event, in response, the title has been changed to "SEMICONDUCTOR DEVICE WITH ANTENNA AND SEPARATING LAYER." If the presently amended title is not sufficiently descriptive, then the Applicant respectfully requests that the Examiner further clarify why the title is not descriptive or, if possible, suggest a title believed to be sufficiently descriptive. Reconsideration of the objection is requested.

Paragraph 5 of the Official Action rejects claims 1-11, 14 and 15 as obvious based on the combination of U.S. Patent No. 6,459,588 to Morizumi, U.S. Patent No. 6,509,217 to Reddy and U.S. Patent No. 6,888,509 to Atherton. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1-3, 8 and 10 have been amended to recite that a pair of first adhesives has a higher adhesion than a separating layer, which is supported in the present specification, for example, by at least page 22, lines 3-7, and Figures 8A-8B. For the reasons provided below, Morizumi, Reddy and Atherton, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

The Official Action asserts that the adhesive layers 41a of Morizumi correspond with the pair of first adhesives of the present claims (page 3, Paper No. 20090415) and that the adhesion modifying coating 105 of Atherton corresponds with the separating layer of the present claims (Id.). The Applicant respectfully disagrees and traverses the assertions in the Official Action. The prior art does not teach or suggest that the adhesive layers 41a of Morizumi have a higher adhesion than the adhesion modifying coating 105 of Atherton.

Since Morizumi, Reddy and Atherton do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly,

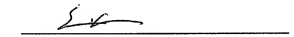
reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Paragraph 16 of the Official Action rejects claims 12 and 13 as obvious based on the combination of Morizumi, Atherton, Reddy and U.S. Publication No. 2003/0130020 to Kuwabara. Kuwabara does not cure the deficiencies in Morizumi, Atherton and Reddy. The Official Action relies on Kuwabara to allegedly teach the features of the dependent claims. Specifically, the Official Action relies on Kuwabara to allegedly teach "that a suitable material for a separating layer may comprise a crystalline metal oxide containing tungsten" (page 6, Paper No. 20090415). However, Morizumi, Atherton, Reddy and Kuwabara, either alone or in combination, do not teach or suggest that a pair of first adhesives has a higher adhesion than a separating layer or that the adhesive layers 41a of Morizumi should have a higher adhesion than the adhesion modifying coating 105 of Atherton. Since Morizumi, Atherton, Reddy and Kuwabara do not teach or suggest all the claim limitations a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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